

Practitioner's Docket No. 1406/41

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frenzel et al.

Group Art Unit: 2638

Serial No.: 10/048,050

Examiner: Kevin Kim

Filed: January 25, 2002

Docket No.: 1406/41

Confirmation No.: 2761

For: METHOD AND DEVICE FOR ISDN/ADSL JOINT DATA TRANSFER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 28, 2005, finally rejecting claims 1-8.

06/30/2006 WASFAW1 00000006 10048050
01 FC:1401 500.00 OP
02 FC:1253 570.00 OP

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV 771 301 277 US (mandatory)

Date: June 28, 2006


Gayle W. Chaney

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal is:

Other than a small entity	\$500.00
Notice of Appeal fee due	\$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

An extension for three months is requested. An extension for two months has already been secured, and the fee paid therefor of \$450.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request:	\$1,020.00
Two months previously paid:	<u>450.00</u>
Fee now due:	\$ 570.00

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$500.00
Extension fee	\$570.00

TOTAL FEE DUE \$1,070.00

5. FEE PAYMENT

A check in the amount of \$1,070.00 is enclosed.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. **50-0426**.

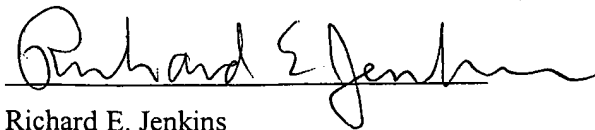
A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, charge Deposit Account No. **50-0426**.

Date: June 28, 2006

REJ/gwc
1406/41


Richard E. Jenkins
Registration No. 28,428
Customer No. 25297